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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
vs.  
  
EVERARDO MALDONADO AGUILAR,  
  
Defendant.

Case No.: 00-CR-20029-003-RMW

**STIPULATION AND []  
ORDER REGARDING SENTENCE  
REDUCTION UNDER U.S.S.G. § 1B1.1(b)  
AND AMENDMENT 782**

**IT IS HEREBY STIPULATED AND AGREED**, by and between the parties acting through  
their respective counsel, that:

1. Defendant is making an unopposed motion for modification of his sentence pursuant to 18 U.S.C. § 3582(c)(2).
2. Defendant's original guideline calculation was as follows:  
  
Total Offense Level: 35  
  
Criminal History Category: III  
  
Guideline Range: 210 to 260 months  
  
Mandatory Minimum: 120 months
3. Defendant was sentenced to 204 months imprisonment on October 21, 2002.

STIPULATION FOR SENTENCE REDUCTION,, U.S. v. AGUILAR, Case CR-20029-RMW

- 1 4. According to the Bureau of Prisons, Defendant's current projected release date is August  
2 28, 2016.
- 3  
4 5. Effective November 1, 2014, this Court may order a modification in defendant's sentence  
5 pursuant to 18 U.S.C. § 3582(c), USSG § 1B1.10(b)(1), and Amendment 782, to the  
6 United States Sentencing Guidelines Manual.
- 7 6. Defendant's revised guideline calculation is as follows:  
8  
9 Total Offense Level: 33  
10 Criminal History Category: III  
11 Guideline Range: 168 to 210 months  
12 Mandatory Minimum: 120 months
- 13 7. The parties have no reason to dispute the Sentence Reduction Investigation Report  
14 submitted to the Court by the Probation Office.
- 15 8. Based upon the foregoing, the parties hereby stipulate that the Court may enter an order  
16 reducing Defendant's term of custody to 181 months, effective November 1, 2015.
- 17 9. The parties further stipulate that all other aspects of the original judgment order including  
18 the length of term of supervised release, all conditions of supervision, fines, restitution,  
19 and special assessment remain as previously imposed.
- 20 10. Defendant stipulates that he waives and does not request a hearing in this matter pursuant  
21 to Fed. R. Crim. P. 43, 18 U.S.C. § 3582(c)(2), and *United States v. Booker*, 543 U.S. 220  
22 (2005).
- 23 11. Defendant waives his right to appeal the district court's sentence.
- 24 12. Accordingly, the parties agree that an amended judgment in accordance with this  
25 stipulation may be entered by the Court in pursuant to 18 U.S.C. § 3582(c) and USSG §

1 1B1.10(b)(1), Amendment 782 of the Sentencing Guidelines Manual. A Sentencing  
2 Reduction Investigation Report and a proposed amended judgment will be submitted to  
3 the Court.  
4

5 IT IS SO STIPULATED.  
6

7 Dated: February 4, 2015

/s/ J. Douglas Wilson  
MELINDA L. HAAG  
United States Attorney  
J. DOUGLAS WILSON  
Assistant U.S. Attorney  
Northern District of California


11 Dated: February 4, 2014

/s/ Mark D. Eibert  
MARK D. EIBERT  
Attorney for Defendant Everardo Aguilar

14 ORDER

15 Good cause appearing therefore, IT IS SO ORDERED.

16  
17 Dated: February 4, 2015

  
HON. RONALD M. WHYTE  
United States District Judge